

116TH CONGRESS  
1ST SESSION

# H. R. 5175

To amend title 49, United States Code, to provide enhanced safety in pipeline transportation, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 19, 2019

Mr. CRAWFORD (for himself, Mr. GRAVES of Missouri, Mr. BOST, Mr. WEBER of Texas, Mrs. MILLER, Mr. GIBBS, Mr. PENCE, Mr. YOUNG, Mr. BABIN, Mr. PERRY, Mr. RODNEY DAVIS of Illinois, Mr. STAUBER, Mr. BALDERSON, Mr. LAMALFA, Mr. SPANO, Mr. MEADOWS, Mr. WOODALL, Mr. KATKO, and Miss GONZÁLEZ-COLÓN of Puerto Rico) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

---

## A BILL

To amend title 49, United States Code, to provide enhanced safety in pipeline transportation, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Pipeline Safety Improvement Act of 2019”.

1 (b) TABLE OF CONTENTS.—The table of contents for  
2 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Authorization of appropriations.
- Sec. 3. Strengthening operator qualification programs.
- Sec. 4. Safety-related condition reports.
- Sec. 5. Property damage threshold.
- Sec. 6. Pipeline facility security.
- Sec. 7. Access to oil spill response plans.
- Sec. 8. National pipeline mapping system.
- Sec. 9. Depth of cover for inland bodies of water.
- Sec. 10. Pipeline operating status.
- Sec. 11. Advancement of new pipeline safety technologies and approaches.
- Sec. 12. Pipeline safety voluntary information-sharing system.
- Sec. 13. User fees.
- Sec. 14. User fees for underground natural gas storage facilities.
- Sec. 15. Liquefied natural gas facility safety.
- Sec. 16. Unusually sensitive areas.
- Sec. 17. Workforce.
- Sec. 18. Nationwide integrated pipeline safety regulatory database.
- Sec. 19. Regulatory updates.
- Sec. 20. Construction project approvals.
- Sec. 21. Report on emissions.
- Sec. 22. Changes in class location.

3 **SEC. 2. AUTHORIZATION OF APPROPRIATIONS.**

4 (a) GAS AND HAZARDOUS LIQUID.—Section  
5 60125(a) of title 49, United States Code, is amended to  
6 read as follows:

7 “(a) GAS AND HAZARDOUS LIQUID.—

8 “(1) IN GENERAL.—To carry out the provisions  
9 of this chapter related to gas and hazardous liquid  
10 and section 12 of the Pipeline Safety Improvement  
11 Act of 2002 (49 U.S.C. 60101 note; Public Law  
12 107–355), there are authorized to be appropriated to  
13 the Secretary from fees collected under section  
14 60301—

1           “(A) \$150,000,000 for fiscal year 2020, of  
2           which \$9,000,000 shall be expended for car-  
3           rying out such section 12 and \$60,000,000  
4           shall be expended for making grants;

5           “(B) \$154,000,000 for fiscal year 2021, of  
6           which \$9,000,000 shall be expended for car-  
7           rying out such section 12 and \$63,000,000  
8           shall be expended for making grants;

9           “(C) \$158,000,000 for fiscal year 2022, of  
10          which \$9,000,000 shall be expended for car-  
11          rying out such section 12 and \$66,000,000  
12          shall be expended for making grants; and

13          “(D) \$162,000,000 for fiscal year 2023, of  
14          which \$9,000,000 shall be expended for car-  
15          rying out such section 12 and \$69,000,000  
16          shall be expended for making grants.

17          “(2) TRUST FUND AMOUNTS.—In addition to  
18          the amounts authorized to be appropriated under  
19          paragraph (1), there are authorized to be appro-  
20          priated from the Oil Spill Liability Trust Fund de-  
21          scribed in section 9509(a) of the Internal Revenue  
22          Code of 1986 (26 U.S.C. 9509(a)) to carry out the  
23          provisions of this chapter relating to hazardous liq-  
24          uid and section 12 of the Pipeline Safety Improve-

1       ment Act of 2002 (49 U.S.C. 60101 note; Public  
2       Law 107–355)—

3               “(A) \$25,000,000 for fiscal year 2020, of  
4       which—

5                       “(i) \$3,000,000 shall be used to carry  
6       out section 12 of such Act; and

7                       “(ii) \$10,000,000 shall be used for  
8       making grants;

9               “(B) \$26,000,000 for fiscal year 2021, of  
10      which—

11                      “(i) \$3,000,000 shall be used to carry  
12      out section 12 of such Act; and

13                      “(ii) \$11,000,000 shall be used for  
14      making grants;

15              “(C) \$27,000,000 for fiscal year 2022, of  
16      which—

17                      “(i) \$3,000,000 shall be used to carry  
18      out section 12 of such Act; and

19                      “(ii) \$12,000,000 shall be used for  
20      making grants; and

21              “(D) \$28,000,000 for fiscal year 2023, of  
22      which—

23                      “(i) \$3,000,000 shall be used to carry  
24      out section 12 of such Act; and

1                   “(ii) \$13,000,000 shall be used for  
2                   making grants.

3                   “(3) UNDERGROUND NATURAL GAS STORAGE  
4                   FACILITY SAFETY ACCOUNT.—To carry out section  
5                   60141, there is authorized to be appropriated to the  
6                   Secretary \$8,000,000 from fees collected under sec-  
7                   tion 60302 for each of fiscal years 2020 through  
8                   2023.”.

9                   (b) OPERATIONAL EXPENSES.—Section 2(b) of the  
10                  PIPES Act of 2016 (Public Law 114–183; 130 Stat. 515)  
11                  is amended by striking paragraphs (1) through (4) and  
12                  inserting the following:

13                         “(1) \$25,000,000 for fiscal year 2020.

14                         “(2) \$26,000,000 for fiscal year 2021.

15                         “(3) \$27,000,000 for fiscal year 2022.

16                         “(4) \$28,000,000 for fiscal year 2023.”.

17                  (c) EMERGENCY RESPONSE GRANTS.—Section  
18                  60125(b) of title 49, United States Code, is amended to  
19                  read as follows:

20                         “(b) EMERGENCY RESPONSE GRANTS.—

21                                 “(1) IN GENERAL.—The Secretary may estab-  
22                                 lish a program to make grants to State, county,  
23                                 local, and tribal governments and nonprofit organi-  
24                                 zations providing pipeline emergency response train-  
25                                 ing, for—

1 “(A) emergency response management;

2 “(B) training; and

3 “(C) technical assistance.

4 “(2) TRAINING REQUIREMENTS.—To the extent  
5 that a grant is used to train emergency responders,  
6 any training shall ensure that emergency responders  
7 can protect nearby persons, property, and the envi-  
8 ronment from the effects of accidents or incidents  
9 involving gas or hazardous liquid pipelines, in ac-  
10 cordance with existing regulations.

11 “(3) AUTHORIZATION OF APPROPRIATIONS.—  
12 There is authorized to be appropriated to carry out  
13 this subsection \$12,000,000 for each of fiscal years  
14 2020 through 2023.”.

15 (d) ONE-CALL NOTIFICATION PROGRAMS.—Section  
16 6107 of title 49, United States Code, is amended by strik-  
17 ing “2016 through 2019” and inserting “2020 through  
18 2023”.

19 (e) PIPELINE SAFETY INFORMATION GRANTS TO  
20 COMMUNITIES.—Section 60130(c) of title 49, United  
21 States Code, is amended to read as follows:

22 “(c) FUNDING.—

23 “(1) IN GENERAL.—Of the amounts made  
24 available under section 2(b) of the PIPES Act of  
25 2016, the Secretary shall use \$1,500,000 for each of

1 fiscal years 2020 through 2023 to carry out this sec-  
2 tion.

3 “(2) LIMITATION.—Any amounts used to carry  
4 out this section may not be derived from user fees  
5 collected under section 60301.”.

6 (f) DAMAGE PREVENTION PROGRAMS.—Section  
7 60134(i) of title 49, United States Code, is amended in  
8 the first sentence by striking “2012 through 2015” and  
9 inserting “2020 through 2023”.

10 (g) PIPELINE INTEGRITY PROGRAM.—Section 12(f)  
11 of the Pipeline Safety Improvement Act of 2002 (49  
12 U.S.C. 60101 note; Public Law 107–355) is amended by  
13 striking “2016 through 2019” and inserting “2020  
14 through 2023”.

15 **SEC. 3. STRENGTHENING OPERATOR QUALIFICATION PRO-**  
16 **GRAMS.**

17 (a) QUALIFICATIONS OF PIPELINE OPERATORS.—  
18 Section 60102(a)(3) of title 49, United States Code, is  
19 amended—

20 (1) by striking “operates and maintains” and  
21 inserting “operates and maintains, or constructs,”;

22 (2) by inserting “, a gas gathering line, or a  
23 hazardous liquid gathering line” before “shall ad-  
24 dress”;

1           (3) by striking “operator of a pipeline facility”  
2           and inserting “operator of a pipeline facility, a gas  
3           gathering line, or a hazardous liquid gathering line”;

4           (4) by striking “operate and maintain” and in-  
5           serting “operate and maintain, or construct” each  
6           place it appears; and

7           (5) by inserting “, gas gathering lines, or haz-  
8           ardous liquid gathering lines” before the period at  
9           the end.

10          (b) VERIFICATION OF PIPELINE QUALIFICATION  
11 PROGRAMS.—Section 60131 of title 49, United States  
12 Code, is amended—

13           (1) in subsection (d) by adding at the end the  
14           following:

15           “(5) A management of change program that  
16           will communicate changes that affect covered tasks  
17           to individuals performing those covered tasks.”; and

18           (2) by striking subsection (g) and inserting the  
19           following:

20           “(g) DEFINITIONS.—In this section:

21           “(1) COVERED TASK.—The term ‘covered  
22           task’—

23           “(A) with respect to a gas pipeline facility,  
24           has the meaning such term has under section  
25           192.801 of title 49, Code of Federal Regula-

1           tions, including any subsequent modifications;  
2           and

3           “(B) with respect to a hazardous liquid  
4           pipeline facility, has the meaning such term has  
5           under section 195.501 of such title, including  
6           any subsequent modifications;

7           “(C) includes, with respect to a gas pipe-  
8           line facility or a hazardous liquid pipeline facil-  
9           ity described in subparagraphs (A) and (B), a  
10          construction task.

11          “(2) PIPELINE FACILITY.—The term ‘pipeline  
12          facility’ includes regulated gas gathering lines and  
13          regulated hazardous liquid gathering lines.”.

14          (c) OPERATOR QUALIFICATION PROGRAM EFFEC-  
15          TIVENESS.—

16               (1) RULEMAKING REQUIRED.—Not later than 1  
17          year after the date of enactment of this Act, the  
18          Secretary of Transportation shall issue such regula-  
19          tions as are necessary to require pipeline facility op-  
20          erator qualification programs to include a written  
21          process to measure the effectiveness of the program  
22          at minimizing human error during the performance  
23          of a covered task.

24               (2) CONSIDERATIONS.—In issuing the regula-  
25          tions required under paragraph (1), the Secretary

1 shall consider the elements of program effectiveness  
2 contained in the notice of proposed rulemaking  
3 issued on July 10, 2015 titled “Pipeline Safety: Op-  
4 erator Qualification, Cost Recovery, Accident and  
5 Incident Notification, and Other Pipeline Safety 3  
6 Proposed Changes” (80 Fed. Reg. 39916).

7 (3) COVERED TASK DEFINED.—In this sub-  
8 section, the term “covered task” has the meaning  
9 given the term in section 60131(g) of title 49,  
10 United States Code.

11 **SEC. 4. SAFETY-RELATED CONDITION REPORTS.**

12 Section 60102(h) of title 49, United States Code, is  
13 amended—

14 (1) in paragraph (2) by striking “Notice of the  
15 condition shall be given concurrently to appropriate  
16 State authorities.”; and

17 (2) by adding at the end the following:

18 “(3)(A) Notice of the condition of an intrastate  
19 or interstate pipeline facility shall be given concur-  
20 rently to appropriate State authorities, as defined by  
21 the Secretary.

22 “(B) The Secretary shall require that when a  
23 State agency receives a report on a safety-related  
24 condition, the State agency shall provide the report  
25 to any State emergency response commission, tribal

1 emergency response commission, tribal emergency  
2 planning committee, local emergency planning com-  
3 mittee, local government, or public agency respon-  
4 sible for emergency response that requests the re-  
5 port, including any updates to the report received by  
6 the State agency.”.

7 **SEC. 5. PROPERTY DAMAGE THRESHOLD.**

8 Section 60123(d)(2)(A) of title 49, United States  
9 Code, is amended by striking “\$50,000” and inserting  
10 “\$200,000”.

11 **SEC. 6. PIPELINE FACILITY SECURITY.**

12 Section 60123 of title 49, United States Code, is  
13 amended by adding at the end the following:

14 “(e) PENALTY FOR ALTERING PHYSICAL INFRA-  
15 STRUCTURE.—

16 “(1) DEFINITION OF ALTERING A PIPELINE FA-  
17 CILITY.—In this subsection, the term ‘altering a  
18 pipeline facility’ means—

19 “(A) the unauthorized turning or manipu-  
20 lation of any valve of a pipeline facility de-  
21 scribed in subsection (b);

22 “(B) the puncturing of—

23 “(i) an existing pipeline that is in use  
24 for a facility described in subsection (b); or

1                   “(ii) a pipeline pipe, pump, or valve  
2                   intended to be used by a facility described  
3                   in subsection (b); or

4                   “(C) causing a defect that would affect the  
5                   integrity of safe operations for—

6                   “(i) an existing pipeline that is in use  
7                   for a facility described in subsection (b); or

8                   “(ii) a pipeline pipe, pump, or valve  
9                   intended to be used by a facility described  
10                  in subsection (b).

11                  “(2) PENALTY.—A person knowingly and will-  
12                  fully altering a pipeline facility shall be fined or im-  
13                  prisoned in accordance with subsection (a).

14                  “(3) RULE OF CONSTRUCTION.—Nothing in  
15                  this subsection abridges the exercise of rights guar-  
16                  anteed under the First Amendment to the Constitu-  
17                  tion of the United States.”.

18 **SEC. 7. ACCESS TO OIL SPILL RESPONSE PLANS.**

19                  Section 60138 of title 49, United States Code, is  
20                  amended—

21                   (1) in subsection (a)—

22                   (A) in paragraph (1) by striking “and”;

23                   (B) in paragraph (2)(D) by striking the  
24                   period and inserting “; and”; and

25                   (C) by adding at the end the following:

1           “(3) provide to a Member of Congress, upon  
2 written request from such Member, access to view a  
3 copy of the plan, the contents of which the Secretary  
4 may not redact, but may note as the Secretary de-  
5 termines appropriate—

6           “(A) proprietary information; and

7           “(B) security-sensitive information, includ-  
8 ing information described in section 1520.5(a)  
9 of title 49, Code of Federal Regulations.”;

10          (2) by redesignating subsection (b) as sub-  
11 section (d); and

12          (3) by adding at the end the following:

13          “(c) LIMITATIONS ON INFORMATION PROVIDED TO  
14 CONGRESS.—The following requirements shall apply to  
15 any activities carried out under subsection (a)(3):

16           “(1) To review an oil spill response plan, the  
17 Administrator shall provide the Member access to a  
18 full and unredacted paper copies of the plans for the  
19 Congressional district of such Member in a secure  
20 reading room for purposes of review only.

21           “(2) Congressional review of full and unredact-  
22 ed copies of oil spill response plans carried out under  
23 such subsection shall be the exclusive authority for  
24 congressional review of such plans.

1           “(3) Information identified under subparagraph  
2           (A) and (B) of subsection (a)(3) may not be distrib-  
3           uted in any form, including verbal, electronic or  
4           written communication, or transmittal of copied  
5           image.

6           “(4) All information described in paragraph (3)  
7           shall remain confidential and any unauthorized dis-  
8           closure of such information is subject to a fine of  
9           \$10,000.

10           “(5) The provision of access to information de-  
11           scribed in paragraph (3) shall not be construed to  
12           waive or amend the obligations or authorities of the  
13           Administrator to protect information from disclosure  
14           pursuant to section 552(b) of title 5, section 60138,  
15           or any other applicable laws.”.

16 **SEC. 8. NATIONAL PIPELINE MAPPING SYSTEM.**

17           (a) **IN GENERAL.**—Section 60132 of title 49, United  
18           States Code, is amended by striking subsection (f) and in-  
19           serting the following:

20           “(f) **PUBLIC DISCLOSURE LIMITED.**—Data and in-  
21           formation submitted to the Secretary under this section  
22           may not be disclosed to the public pursuant to section  
23           552(b)(3)(B) of title 5.”.

24           (b) **EVALUATION OF INFORMATION.**—Not later than  
25           1 year after the date of enactment of this Act, the Sec-

1   retary shall issue regulations on the evaluation of the in-  
2   formation required under paragraphs (1) through (4) of  
3   section 60132(a) of title 49, United States Code, with re-  
4   spect to gathering lines.

5   **SEC. 9. DEPTH OF COVER FOR INLAND BODIES OF WATER.**

6       Section 60140 of title 49, United States Code, is  
7   amended by adding at the end the following:

8       “(c) DATA SET FOR PIPELINES CROSSING CERTAIN  
9   WATER BODIES.—

10           “(1) IN GENERAL.—Not later than 1 year after  
11   the date of enactment of this subsection, the Sec-  
12   retary shall collect and maintain geospatial data ca-  
13   pable of identifying hazardous liquid pipelines cross-  
14   ing inland bodies of water with a width of at least  
15   100 feet from high-water mark to high-water mark  
16   and where the pipeline segment is within, or could  
17   affect, a high consequence area (as defined in sec-  
18   tions 192.903 and 195.450 of title 49, Code of Fed-  
19   eral Regulations).

20           “(2) PUBLIC INFORMATION.—The Secretary  
21   shall make the data set collected and maintained  
22   under paragraph (1) available on the publicly avail-  
23   able website of the Department of Transportation.

24           “(3) NATIONAL PIPELINE MAPPING SYSTEM.—  
25   The Secretary shall include such data set in the Na-

1 tional Pipeline Mapping System for purposes of  
2 meeting the requirement under paragraph (2).”.

3 **SEC. 10. PIPELINE OPERATING STATUS.**

4 (a) IN GENERAL.—Chapter 601 of title 49, United  
5 States Code, is amended by adding at the end the fol-  
6 lowing:

7 **“§ 60142. Idled pipelines**

8 “(a) DEFINITION OF IDLED.—In this section, the  
9 term ‘idled’, with respect to a pipeline, means that the  
10 pipeline—

11 “(1)(A) has ceased normal operations;

12 “(B) will not resume service for a period of not  
13 less than 180 days;

14 “(2) has been isolated from all sources of haz-  
15 ardous liquid, natural gas, or other gas;

16 “(3) has been purged of combustibles and haz-  
17 ardous materials;

18 “(4) if a blanket of inert, nonflammable gas is  
19 placed in the line, such gas must be at low pressure  
20 and odorized; and

21 “(5) has received approval from the Secretary  
22 to be removed as an active pipeline.

23 “(b) APPROVAL.—Before an operator may place a  
24 natural or other gas pipeline facility or hazardous liquid

1 pipeline facility into idled status, the operator must re-  
2 quest an approval, in writing, from the Secretary.

3 “(c) EXTENSION.—The Secretary may allow idled  
4 natural or other gas pipeline facilities and hazardous liq-  
5 uid pipeline facilities to remain in idled status for a period  
6 longer than described in paragraph (a), provided that such  
7 request be made in writing and not exceed a period of 5  
8 years for each requested extension.

9 “(d) RULEMAKING.—

10 “(1) IN GENERAL.—Not later than 3 years  
11 after the date of enactment of this Act, the Sec-  
12 retary shall promulgate regulations prescribing the  
13 applicability of the pipeline safety requirements to  
14 idled natural or other gas pipeline facilities and haz-  
15 ardous liquid pipeline facilities.

16 “(2) REQUIREMENTS.—The regulations promul-  
17 gated under paragraph (1) shall contain the fol-  
18 lowing requirements:

19 “(A) IN GENERAL.—The applicability of  
20 the regulations under paragraph (1) shall be  
21 based on the risk that idled natural or other  
22 gas pipeline facilities and hazardous liquid pipe-  
23 line facilities pose to the public, property, and  
24 the environment, and shall include requirements  
25 to resume operation.

1           “(B) NOTIFICATION AND APPROVAL.—The  
2 Secretary shall establish procedures, including a  
3 requirement for notification to the public, for  
4 requesting an approval, described in subsection  
5 (b), and an extension, described in subsection  
6 (c), before an operator changes the operating  
7 status of a natural or other gas pipeline facility  
8 or hazardous liquid pipeline facility.

9           “(C) INSPECTION.—The Secretary or an  
10 appropriate State agency shall inspect each  
11 idled natural or other gas pipeline facility or  
12 hazardous liquid pipeline facility and verify that  
13 the pipeline has been purged of combustibles  
14 and hazardous materials.

15           “(D) REQUIREMENTS FOR REINSPEC-  
16 TION.—The Secretary shall determine the re-  
17 quirements for periodic reinspection of idled  
18 natural or other gas pipeline facilities and haz-  
19 ardous liquid pipeline facilities.

20           “(E) INVENTORY.—The Secretary shall re-  
21 quire operators to report to the Secretary infor-  
22 mation on idled natural or other gas pipeline  
23 facilities and hazardous liquid pipeline facilities  
24 in their system, including the location of a pipe-  
25 line, whether the pipeline has been purged of

1 combustibles and hazardous materials, whether  
2 a blanket of inert gas remains in the line, the  
3 date on which the operator idled the pipeline,  
4 and a written description for why the operator  
5 chose to place each pipeline into idle status.

6 “(e) AVAILABILITY OF DATA.—

7 “(1) IN GENERAL.—The Secretary shall make  
8 available to the public the inventory required under  
9 subsection (d)(E), and publish annually on a website  
10 accessible to the public a list indicating pipeline op-  
11 erating status changes. The list shall include—

12 “(A) the name of the operator;

13 “(B) the operating status change of the  
14 pipeline; and

15 “(C) the approximate location, including  
16 beginning and end point for the pipeline that is  
17 subject to the change in operating status.”.

18 (b) CLERICAL AMENDMENT.—The table of sections  
19 for chapter 601 of title 49, United States Code, is amend-  
20 ed by adding at the end the following new item:

“60142. Idled pipelines.”.

21 **SEC. 11. ADVANCEMENT OF NEW PIPELINE SAFETY TECH-**  
22 **NOLOGIES AND APPROACHES.**

23 (a) IN GENERAL.—Chapter 601 of title 49, United  
24 States Code, is further amended by adding at the end the  
25 following:

1 **“§ 60143. Pipeline safety technology testing programs**

2 “(a) IN GENERAL.—The Secretary may establish and  
3 carry out limited safety-enhancing testing programs to  
4 evaluate innovative technologies and operational practices  
5 testing the safe operation of—

6 “(1) a natural gas pipeline facility; or

7 “(2) a hazardous liquid pipeline facility.

8 “(b) LIMITATIONS.—

9 “(1) HIGH POPULATION AREAS.—Any program  
10 established under subsection (a) shall not be located  
11 in a high population area (as defined in section  
12 195.450 of title 49, Code of Federal Regulations).

13 “(c) DURATION.—The term of a testing program es-  
14 tablished under subsection (a) shall be not more than a  
15 period of 4 years beginning on the date of approval of the  
16 program.

17 “(d) SAFETY STANDARDS.—

18 “(1) IN GENERAL.—The Secretary shall re-  
19 quire, as a condition of approval of a testing pro-  
20 gram under subsection (a), that the safety measures  
21 in the testing program are designed to achieve a  
22 level of safety that is greater than, or equivalent to,  
23 the level of safety required by this chapter.

24 “(2) DETERMINATION.—

25 “(A) IN GENERAL.—The Secretary may  
26 issue an order under subparagraph (A) of sec-

1           tion 60118(c)(1) to accomplish the purpose of  
2           a testing program for a term not to exceed the  
3           time period described in subsection (c) if the  
4           condition described in paragraph (1) is met, as  
5           determined by the Secretary.

6           “(B) LIMITATION.—An order under sub-  
7           paragraph (A) of such section shall pertain only  
8           to those regulations that would otherwise pre-  
9           vent the use of the safety technology to be test-  
10          ed under the testing program.

11          “(e) CONSIDERATIONS.—In establishing a testing  
12          program under subsection (a), the Secretary shall con-  
13          sider—

14                 “(1) whether the owners or operators partici-  
15                 pating in the program have a safety management  
16                 system in place;

17                 “(2) whether the proposed safety technology  
18                 has been tested through a research and development  
19                 program carried out by—

20                         “(A) the Secretary;

21                         “(B) collaborative research development  
22                         organizations; or

23                         “(C) other institutions; and

24                 “(3) whether the pipeline segments tested by  
25                 the program are outside of a high population area

1 (as defined in section 195.450 of title 49, Code of  
2 Federal Regulations).

3 “(f) DATA AND FINDINGS.—As a participant in a  
4 testing program established under subsection (a), an oper-  
5 ator shall submit to the Secretary detailed findings and  
6 a summary of data collected as a result of participation  
7 in the testing program.

8 “(g) AUTHORITY TO REVOKE PARTICIPATION.—The  
9 Secretary shall immediately revoke participation in a test-  
10 ing program under subsection (a) if—

11 “(1) the participant fails to comply with the  
12 terms and conditions of the testing program; or

13 “(2) in the determination of the Secretary, con-  
14 tinued participation in the testing program by the  
15 participant would be unsafe or would not be con-  
16 sistent with the goals and objectives of this chapter.

17 “(h) AUTHORITY TO TERMINATE PROGRAM.—The  
18 Secretary shall immediately terminate a testing program  
19 under subsection (a) if continuation of the testing pro-  
20 gram would not be consistent with the goals and objectives  
21 of this chapter.

22 “(i) STATE RIGHTS.—

23 “(1) EXEMPTION.—Except as provided in para-  
24 graph (2), if a State submits to the Secretary notice  
25 that the State requests an exemption from any test-

1       ing program considered for establishment under this  
2       section, the State shall be exempt.

3           “(2) LIMITATIONS.—

4               “(A) IN GENERAL.—The Secretary shall  
5       not grant a requested exemption under para-  
6       graph (1) after a testing program is estab-  
7       lished.

8               “(B) LATE NOTICE.—The Secretary shall  
9       not grant a requested exemption under para-  
10      graph (1) if the notice submitted under that  
11      paragraph is submitted to the Secretary more  
12      than 10 days after the date on which the Sec-  
13      retary issues an order providing an effective  
14      date for the testing program.

15           “(3) EFFECT.—If a State has not submitted a  
16      notice requesting an exemption under paragraph (1),  
17      the State shall not enforce any law (including regu-  
18      lations) that is inconsistent with a testing program  
19      in effect in the State under this section.

20           “(j) PROGRAM REVIEW PROCESS AND PUBLIC NO-  
21      TICE.—

22               “(1) IN GENERAL.—The Secretary shall publish  
23      in the Federal Register a notice of each testing pro-  
24      gram under subsection (a), including the order to be

1 considered, and provide an opportunity for public  
2 comment for not less than 60 days.

3 “(2) RESPONSE FROM SECRETARY.—Not later  
4 than the date on which the Secretary issues an order  
5 providing an effective date of a testing program no-  
6 ticed under paragraph (1), the Secretary shall re-  
7 spond to each comment submitted under that para-  
8 graph.

9 “(k) REPORT.—At the conclusion of each testing pro-  
10 gram, the Secretary shall make publicly available on the  
11 website of the Department of Transportation a report con-  
12 taining—

13 “(1) the findings and conclusions of the Sec-  
14 retary with respect to the testing program; and

15 “(2) any recommendations of the Secretary  
16 with respect to the testing program, including any  
17 recommendations for amendments to laws (including  
18 regulations) and the establishment of standards,  
19 that—

20 “(A) would enhance the safe operation of  
21 interstate gas or hazardous liquid pipeline fa-  
22 cilities; and

23 “(B) are technically, operationally, and  
24 economically feasible.

1       “(l) STANDARDS.—If a report under subsection (k)  
 2 indicates that it is practicable to establish technically,  
 3 operationally, and economically feasible standards for the  
 4 use of a safety-enhancing technology and any correspond-  
 5 ing operational practices tested by the testing program de-  
 6 scribed in the report, the Secretary, as soon as practicable  
 7 after submission of the report, may promulgate regula-  
 8 tions consistent with chapter 5 of title 5 (commonly known  
 9 as the ‘Administrative Procedures Act’) that—

10               “(1) allow operators of interstate gas or haz-  
 11 arduous liquid pipeline facilities to use the relevant  
 12 technology or practice to the extent practicable; and

13               “(2) establish technically, operationally, and  
 14 economically feasible standards for the capability  
 15 and deployment of the technology or practice.”.

16       (b) CLERICAL AMENDMENT.—The table of sections  
 17 for chapter 601 of title 49, United States Code, is further  
 18 amended by adding at the end the following:

“60143. Pipeline safety technology testing programs.”.

19 **SEC. 12. PIPELINE SAFETY VOLUNTARY INFORMATION-**  
 20 **SHARING SYSTEM.**

21       (a) IN GENERAL.—Chapter 601 of title 49, United  
 22 States Code, is further amended by adding at the end the  
 23 following:

24 **“§ 60144. Voluntary information-sharing system**

25       “(a) ESTABLISHMENT.—

1           “(1) IN GENERAL.—Subject to the availability  
2 of funds, the Secretary may establish a confidential  
3 and nonpunitive voluntary information-sharing sys-  
4 tem (referred to in this section as the ‘System’) to  
5 encourage collaborative efforts to improve inspection  
6 information feedback and information sharing, with  
7 the purpose of improving natural gas transmission  
8 and hazardous liquid pipeline safety.

9           “(2) COMPONENTS.—The System—

10           “(A) shall include pipeline integrity risk  
11 analysis information; and

12           “(B) may include other information relat-  
13 ing to reducing pipeline incidents, such as—

14           “(i) lessons learned from accidents  
15 and near misses;

16           “(ii) process improvements;

17           “(iii) technology deployments; and

18           “(iv) other voluntary information-  
19 sharing systems.

20           “(3) REQUIREMENT.—The System shall protect  
21 proprietary information while encouraging the ex-  
22 change of data, including in-line inspection and dig  
23 verification data, among operators, tool vendors, and  
24 the representatives of the Secretary to facilitate the  
25 development of—

1           “(A) advanced pipeline-inspection tech-  
2 nologies; and

3           “(B) enhanced risk analysis.

4           “(4) CONSULTATION.—If appropriate, the Sec-  
5 retary may involve other public and private stake-  
6 holders in establishing and maintaining the System.

7           “(b) DATA MANAGER.—In carrying out this section,  
8 the Secretary may engage a partner agency or nongovern-  
9 mental entity to receive, store, manage, and provide for  
10 the use of—

11           “(1) system data; and

12           “(2) information submitted to the System.

13           “(c) LIMITATION ON DISCLOSURE.—

14           “(1) APPLICABILITY OF FOIA.—Any part of any  
15 record (including, but not limited to an analysis by  
16 a pipeline operator of the safety risks of the pipeline  
17 operator and a statement of the mitigation measures  
18 identified by the pipeline operator to address those  
19 risks) provided to the Secretary and retained in the  
20 System is exempt from the requirements of section  
21 552 of title 5, and specifically exempt from release  
22 under subsection (b)(3) of that section, if the record  
23 is—

24           “(A) supplied to the Secretary for purposes  
25 of the System; or

1           “(B) made available for inspection and  
2           copying by an officer, employee, or agent of the  
3           Secretary for purposes of the System.

4           “(2) EXCEPTION.—Notwithstanding paragraph  
5           (1), the Secretary in consultation with the informa-  
6           tion owner, may disclose deidentified material or any  
7           part of any record comprised of facts otherwise  
8           available to the public if, in the sole discretion of the  
9           Secretary, the Secretary determines that disclosure  
10          would be consistent with the confidentiality needed  
11          for the System and improve pipeline safety.

12          “(d) EXCLUDED EVIDENCE.—Except as provided in  
13          subsection (f), any data or information submitted to or  
14          stored, managed, analyzed, or produced by the System  
15          shall not be used—

16                 “(1) as evidence for any purpose in any Fed-  
17                 eral, State, local, Tribal, or private litigation, includ-  
18                 ing any action or proceeding; or

19                 “(2) to support any corrective action relating to  
20                 a probable violation under this chapter (including  
21                 any regulation promulgated or order issued under  
22                 this chapter).

23          “(e) EXCLUSION FROM DISCOVERY.—Except as pro-  
24          vided in subsection (f), any data or information submitted  
25          to or stored, managed, analyzed, or produced by the Sys-

1 tem shall not be subject to discovery in any Federal, State,  
2 local, Tribal, or private litigation or other proceeding.

3 “(f) LIMITATIONS ON EXCLUSION.—The exclusions  
4 described in subsections (d) and (e) shall not apply to—

5 “(1) evidence of a knowing and willful violation;

6 “(2) a reportable release under sections 191.7  
7 or 195.50 of title 49, Code of Federal Regulations  
8 (or a successor regulation);

9 “(3) a safety-related condition under sections  
10 191.7 or 195.55 of title 49, Code of Federal Regula-  
11 tions (or a successor regulation); or

12 “(4) data or information obtained by the Sec-  
13 retary independently of the System.

14 “(g) GOVERNING BOARD.—Not later than 180 days  
15 after the date of enactment of this Act, the Administrator  
16 shall establish a governing board co-chaired by the Admin-  
17 istrator and a representative of the pipeline industry to—

18 “(1) govern the System through consensus of  
19 the board and co-chairs;

20 “(2) develop governance documents and oversee  
21 their enforcement; and

22 “(3) establish and appoint members of issue  
23 analysis teams;

24 “(h) CONFIDENTIALITY.—No person, including any  
25 System governing board member, program manager,

1 third-party data manager, issue analysis team member,  
2 nor any Federal, State, local or tribal agency, having or  
3 obtaining access to any data or information submitted to,  
4 stored, managed, analyzed or produced by the System,  
5 shall release or communicate that information to any per-  
6 son outside the System, with the sole exception being the  
7 publication of reports by the System based on analysis of  
8 de-identified information and safety related findings that  
9 the System governing board in its sole discretion deter-  
10 mines to publish or authorize the Administration to pub-  
11 lish.

12 “(i) VOLUNTARY PARTICIPATION.—No person may  
13 be compelled to participate in or submit data or informa-  
14 tion to the System.

15 “(j) SUSTAINABLE FUNDING.—The Secretary shall  
16 explore sustainable funding sources for the System, in-  
17 cluding public-private partnerships.

18 “(k) EFFECT.—Nothing in this section affects any  
19 Federal or State pipeline safety law.

20 “(l) LIMITATION ON FUNDING.—The Secretary may  
21 expend not more than \$1,000,000 for each of the fiscal  
22 years 2020 through 2024 to establish the System.

23 “(m) SAVINGS CLAUSE.—Notwithstanding the pro-  
24 tections provided under this section, no pipeline operator  
25 may use the submission of information to the System as

1 protection against enforcement actions or corrective orders  
2 that are based on information or evidence obtained outside  
3 of the System.”.

4 (b) CLERICAL AMENDMENT.—The table of sections  
5 for chapter 601 of title 49, United States Code, is further  
6 amended by adding at the end the following:

“60144.Voluntary information-sharing system.”.

7 **SEC. 13. USER FEES.**

8 Section 60301(d)(1) of title 49, United States Code,  
9 is amended—

10 (1) in subparagraph (A) by striking “and” at  
11 the end; and

12 (2) by adding at the end the following:

13 “(C) related to a liquefied natural gas  
14 pipeline facility may be used only for an activity  
15 related to liquefied natural gas pipeline facility  
16 under this chapter; and”.

17 **SEC. 14. USER FEES FOR UNDERGROUND NATURAL GAS**  
18 **STORAGE FACILITIES.**

19 Section 60302 of title 49, United States Code, is  
20 amended—

21 (1) in subsection (c)(2)—

22 (A) in subparagraph (A) by striking “and”  
23 at the end;

24 (B) in subparagraph (B) by striking the  
25 period at the end and inserting “; and”; and

1 (C) by adding at the end the following:

2 “(C) may only be used to the extent pro-  
3 vided in advance in an appropriations Act.”;

4 (2) by striking paragraph (3) of subsection (c);

5 and

6 (3) by adding at the end the following:

7 “(d) LIMITATIONS.—Fees imposed under subsection  
8 (a) shall be sufficient to pay for the costs of activities de-  
9 scribed in subsection (c), except that the total amount col-  
10 lected for a fiscal year may not be more than 105 percent  
11 of the total amount of the appropriations made for the  
12 fiscal year activities to be financed by fees.”.

13 **SEC. 15. LIQUEFIED NATURAL GAS FACILITY SAFETY.**

14 (a) LIQUEFIED NATURAL GAS FACILITY STANDARDS  
15 UPDATE.—

16 (1) IN GENERAL.—Not later than 3 years after  
17 the date of enactment of this Act, the Secretary  
18 shall—

19 (A) review the minimum operating and  
20 maintenance standards for liquefied natural gas  
21 facilities, including small scale liquefied natural  
22 gas facilities, peak shaving facilities, and large-  
23 scale liquefied natural gas facilities, prescribed  
24 under section 60103(d) of title 49, United  
25 States Code; and

1           (B) based on the review under subpara-  
2 graph (A), update the safety standards de-  
3 scribed in that paragraph applicable to liquefied  
4 natural gas facilities to provide for a risk-based  
5 regulatory approach.

6           (2) CONSIDERATIONS.—In updating the min-  
7 imum standards under paragraph (1)(B), the Sec-  
8 retary shall consider the report prepared under sub-  
9 section (d)(5).

10          (3) REQUIREMENTS.—The updates to the  
11 standards required under this section shall, at a  
12 minimum, require operators, consistent with recog-  
13 nized and generally accepted good engineering prac-  
14 tices—

15           (A) to develop and maintain written safety  
16 information identifying hazards associated  
17 with—

18                   (i) the processes of liquefied natural  
19 gas conversion, storage, and transport;

20                   (ii) equipment used in the processes;

21                   and

22                   (iii) technology used in the processes;

23           (B) to conduct a hazard assessment, in-  
24 cluding the identification of potential sources of

1 accidental releases, along with reassessments  
2 periodically;

3 (C) to establish a system to respond to the  
4 findings of a hazard assessment conducted  
5 under subparagraph (B) that addresses preven-  
6 tion, mitigation, and emergency response; and

7 (D) to train employees in operating proce-  
8 dures with an emphasis on addressing hazards,  
9 using safe practices, and carrying out emer-  
10 gency response activities.

11 (b) LIQUEFIED NATURAL GAS STAFFING AND EX-  
12 PERTISE.—

13 (1) LIQUEFIED NATURAL GAS EXPERTISE.—

14 Not later than 60 days after the date of enactment  
15 of this Act, the Secretary shall establish a division  
16 within the Office of Pipeline Safety to ensure the  
17 safety and oversight of liquefied natural gas facilities  
18 under section 60103 and 60111 of title 49, United  
19 States Code, including small-scale liquefied natural  
20 gas facilities, peak shaving facilities, and import or  
21 export facilities.

22 (2) FUNCTIONS.—The Liquefied Natural Gas  
23 division shall be responsible for—

24 (A) developing regulations and guidance  
25 materials for liquefied natural gas facilities;

1 (B) conducting compliance reviews and in-  
2 spections of liquefied natural gas facilities  
3 under section 60103 of title 49, United States  
4 Code;

5 (C) participate in liquefied natural gas fa-  
6 cility incident investigations;

7 (D) participate in enforcing applicable  
8 Federal statutes and regulations for the safety  
9 of liquefied natural gas facilities;

10 (E) conduct education, training, and out-  
11 reach regarding liquefied natural gas facility  
12 safety;

13 (F) manage the agency's research and de-  
14 velopment activities for liquefied natural gas fa-  
15 cilities; and

16 (G) perform other functions consistent  
17 with section 60103 and 60111 of such title.

18 (3) STAFFING.—The Secretary shall employ  
19 personnel necessary for carrying out the functions of  
20 the Liquefied Natural Gas division set forth in para-  
21 graph (2) including—

22 (A) a deputy associate administrator; and

23 (B) adequate staffing and support staff po-  
24 sitions, including subject matter experts in liq-  
25 uefied natural gas facilities who shall be dedi-

1 cated to rulemaking activities, subject matter  
2 experts in liquefied natural gas facilities who  
3 shall perform inspection and enforcement activi-  
4 ties, and other necessary personnel to support  
5 these activities.

6 (4) LNG SUBJECT MATTER EXPERTS.—To sat-  
7 isfy the requirements of paragraph (3), the Sec-  
8 retary may appoint personnel who have such exper-  
9 tise or may train personnel to develop such expertise  
10 through use of the Center of Excellence for Lique-  
11 fied Natural Gas Safety and Training.

12 (5) REPORT.—Not later than 90 days after the  
13 date of enactment of this Act, and every 90 days  
14 thereafter until the division is sufficiently staffed  
15 with LNG subject matter experts, the Secretary  
16 shall report to the Committee on Transportation and  
17 Infrastructure of the House of Representatives, the  
18 Committee on Energy and Commerce of the House  
19 of Representatives, and the Committee on Com-  
20 merce, Science, and Transportation of the Senate on  
21 the progress to staff the division and any impedi-  
22 ments to staffing.

23 (c) CENTER OF EXCELLENCE FOR LIQUEFIED NAT-  
24 URAL GAS SAFETY AND TRAINING.—

1           (1) IN GENERAL.—Not later than 3 years after  
2 the date of enactment of this Act, the Secretary  
3 shall establish a Center of Excellence for Liquefied  
4 Natural Gas Safety and Training (in this subsection  
5 referred to as the “Center”).

6           (2) FUNCTIONS.—The Center shall—

7                 (A) promote, facilitate, and conduct—

8                         (i) education;

9                         (ii) training; and

10                        (iii) research and technological devel-  
11                            opment;

12                 (B) be a repository of information on best  
13 practices relating to, and expertise on, liquefied  
14 natural gas facility operations;

15                 (C) foster collaboration among regulators,  
16 industry, and other stakeholders;

17                 (D) promote process safety advancements  
18 for liquefied natural gas export facilities and  
19 the incorporation of risk-based principles into  
20 the operation, management, and regulatory  
21 oversight of LNG facilities; and

22                 (E) other functions deemed appropriate by  
23 the Secretary.

24           (3) BRIDGE PERIOD.—Until the Center is oper-  
25 ational and able to meet the mission in paragraph

1 (2), the Secretary may enter into an agreement with  
2 an institution of higher education or the LNG indus-  
3 try to provide education and training on the safe op-  
4 erations of liquefied natural gas facilities, provided  
5 that such period does not exceed 3 years.

6 (4) CONSULTATION.—When establishing the  
7 Center, the agency may consult with—

8 (A) Federal regulatory agencies of jurisdic-  
9 tion, including—

10 (i) the Pipeline and Hazardous Mate-  
11 rials Safety Administration;

12 (ii) the Federal Energy Regulatory  
13 Commission;

14 (iii) the Department of Energy;

15 (iv) the U.S. Coast Guard; and

16 (v) the Maritime Administration;

17 (B) States and units of local government;

18 (C) liquefied natural gas facility operators;

19 and

20 (D) other interested parties.

21 (d) LIQUEFIED NATURAL GAS FEDERAL ADVISORY  
22 COMMITTEE.—

23 (1) ESTABLISHMENT.—Not later than 60 days  
24 after the date of enactment of this Act, the Sec-  
25 retary shall establish, in accordance with the re-

1 requirements of the Federal Advisory Committee Act  
2 (5 U.S.C. App.), a Liquefied Natural Gas Federal  
3 Advisory Committee (in this subsection referred to  
4 as the “Committee”).

5 (2) DUTIES.—The Committee shall—

6 (A) facilitate communication between lique-  
7 fied natural gas facility operators, public safety  
8 experts, and Federal agencies on practices to  
9 ensure the safe operation and maintenance of  
10 liquefied natural gas facilities;

11 (B) provide the Secretary with timely in-  
12 formation about new liquefied natural gas facil-  
13 ity technology and safety practices and meth-  
14 odologies;

15 (C) provide a forum for the Secretary to  
16 provide information on and to discuss the ac-  
17 tivities of the Department of Transportation re-  
18 lating to liquefied natural gas facility safety,  
19 and the policies underlying such activities;

20 (D) advise the Secretary on how to pro-  
21 mote, facilitate, and conduct education, train-  
22 ing, and research on the industry best practices,  
23 industry consensus standards, and expertise in  
24 liquefied natural gas operations;

1 (E) advise the Secretary on how to recruit  
2 and retain qualified personnel;

3 (F) advise the Secretary regarding the reg-  
4 ulations prescribed under section 60103 of title  
5 49, United States Code, and when updates to  
6 such regulations are recommended; and

7 (G) advise the Secretary on other matters  
8 affecting LNG safety, as the Secretary con-  
9 sidered appropriate.

10 (3) MEETINGS.—The Committee shall hold reg-  
11 ular meetings, not less than biannually, to discuss  
12 issues related to liquefied natural gas pipeline facil-  
13 ity safety.

14 (4) MEMBERSHIP.—The Committee shall be  
15 composed of the following members:

16 (A) Four individuals appointed by the Sec-  
17 retary to represent the public, such as public  
18 safety experts with knowledge of liquefied nat-  
19 ural gas pipeline facility safety, academics, or  
20 other qualified individuals.

21 (B) Four individuals appointed by the Sec-  
22 retary to represent States and units of local  
23 governments.

24 (C) Four individuals appointed by the Sec-  
25 retary to represent the liquefied natural gas in-

1 industry, two of whom shall represent large-scale  
2 liquefied natural gas facilities, one from a  
3 small-scale facility, and one with peak shaving  
4 operations.

5 (D) Not less than one representative of the  
6 following Federal regulatory agencies of juris-  
7 diction:

8 (i) The Pipeline and Hazardous Mate-  
9 rials Safety Administration.

10 (ii) The Maritime Administration.

11 (iii) The Federal Energy Regulatory  
12 Commission.

13 (iv) The Coast Guard.

14 (5) REPORT TO THE SECRETARY.—Not later  
15 than 2 years after the date of enactment of this Act,  
16 the Committee shall—

17 (A) review regulations issued pursuant to  
18 section 60103(d) of title 49, United States  
19 Code for conformity with industry standards  
20 that apply risk-based principles for process  
21 safety practices; and

22 (B) provide a report and recommendation  
23 to the Secretary on how to best align regula-  
24 tions with industry standards that apply risk-  
25 based principles for process safety practices.

1           (6) REPORT TO CONGRESS.—Not later than 90  
2       days after the date of enactment of this Act, and not  
3       less frequently than every 30 days thereafter until  
4       the date on which all members of the Committee  
5       have been appointed, the Secretary shall submit a  
6       report to the Committee on Transportation and In-  
7       frastructure of the House of Representatives, the  
8       Committee on Energy and Commerce of the House  
9       of Representatives, and the Committee on Com-  
10      merce, Science, and Transportation of the Senate to  
11      update Congress on the status of the Committee, the  
12      progress of appointing members to the Committee,  
13      and the identities of individuals appointed to the  
14      Committee.

15       (e) AUTHORIZATION OF APPROPRIATIONS.—There  
16      are authorized to be appropriated to the Department of  
17      Transportation such sums as may be necessary to carry  
18      out this section.

19      **SEC. 16. UNUSUALLY SENSITIVE AREAS.**

20       (a) IN GENERAL.—Not later than 90 days after the  
21      date of enactment of this Act, the Secretary of Transpor-  
22      tation shall complete the revision required under section  
23      19(b) of the PIPES Act of 2016 (49 U.S.C. 60109 note).

1 (b) FURTHER REQUIREMENT.—In completing the re-  
2 vision described in subsection (a), the Secretary of Trans-  
3 portation shall use the following definitions:

4 (1) MARINE COASTAL WATER.—The term “ma-  
5 rine coastal water” means the territorial sea of the  
6 United States, the Great Lakes and their connecting  
7 waters, the marine and estuarine waters of the  
8 United States up to the head of tidal influence, and  
9 the Exclusive Economic Zone as established by Pres-  
10 idential Proclamation Number 5030, dated March  
11 10, 1983.

12 (2) COASTAL BEACH.—The term “coastal  
13 beach” means land between high and low water  
14 marks in a marine coastal water.

15 **SEC. 17. WORKFORCE.**

16 (a) STAFFING.—

17 (1) IN GENERAL.—Not later than 1 year after  
18 the date of enactment, the Secretary shall increase  
19 the number of full-time equivalent employees (as  
20 compared to the number of positions on the date of  
21 enactment of this Act) by—

22 (A) at least 8 full-time employees with sub-  
23 ject matter expertise in pipeline safety, pipeline  
24 facilities, and pipeline systems to finalize out-  
25 standing pipeline safety rulemakings and fulfill

1 mandates for the Office of Pipeline Safety of  
2 the Pipeline and Hazardous Materials Safety  
3 Administration; and

4 (B) at least 3 full-time attorneys with  
5 pipeline industry of safety expertise in the Of-  
6 fice of Chief Counsel of the Pipeline Hazardous  
7 Materials Safety Administration.

8 (2) PIPELINE INSPECTION AND ENFORCEMENT  
9 PERSONNEL.—The Secretary shall ensure that the  
10 number of positions for pipeline inspection and en-  
11 forcement personnel in the Office of Pipeline Safety  
12 of the Pipeline and Hazardous Materials Safety Ad-  
13 ministration does not fall below the following:

14 (A) 222 for fiscal year 2020.

15 (B) 233 for fiscal year 2021.

16 (C) 245 for fiscal year 2022.

17 (D) 258 for fiscal year 2023.

18 (E) 272 for fiscal year 2024.

19 (b) RECRUITMENT AND RETENTION AUTHORITIES.—  
20 Not later than 30 days after the date of enactment of this  
21 Act, the Secretary shall request authority from the Office  
22 of Personnel Management to use incentives, as necessary,  
23 to recruit and retain a qualified workforce, including—

24 (1) for inspection and enforcement personnel  
25 and subject matter experts dedicated to rulemaking

1 activities in the Office of Pipeline Safety, including  
2 the Liquefied Natural Gas division of the Pipeline  
3 Hazardous Materials Safety Administration, as es-  
4 tablished under section 16(b)—

5 (A) special pay rates permitted under sec-  
6 tion 5305 of title 5, United States Code; and

7 (B) repayment of student loans accom-  
8 panied by a continued service agreement, per-  
9 mitted under section 5379 of title 5, United  
10 States Code; and

11 (2) for the Deputy Associate Administrator of  
12 the Liquefied Natural Gas division in the Office of  
13 Pipeline Safety, as established under section 16(b),  
14 critical position pay permitted under section 5377 of  
15 title 5, United States Code.

16 (c) REPORT TO CONGRESS.—

17 (1) IN GENERAL.—Not later than 60 days after  
18 the date of enactment of this Act, the Administrator  
19 shall transmit to the Committees on Transportation  
20 and Infrastructure and the Committee on Energy  
21 and Commerce of the House of Representatives, and  
22 the Committee on Commerce, Science, and Trans-  
23 portation of the Senate, a report that contains—

24 (A) the number of full-time personnel the  
25 agency has hired to meet the requirements of

1 subsection (a), as well as the total number of  
2 personnel employed by the Administrator;

3 (B) a description of the agency's efforts to  
4 comply with subsection (b);

5 (C) a description of the personnel of the  
6 Liquefied Natural Gas division in the Office of  
7 Pipeline Safety, any impediments to hiring, and  
8 any personnel constraints affecting the ability  
9 of the agency to fulfill the authorities of such  
10 division; and

11 (D) any other details associated with the  
12 agency's progress toward fulfilling the staffing  
13 levels and pursuing the financial incentives as  
14 directed by this section.

15 (2) UPDATES TO REPORT.—Not later than 90  
16 days after the date on which the report is trans-  
17 mitted under paragraph (1) and not later than every  
18 90 days thereafter until all statutory mandates  
19 under this section are met, the Administrator shall  
20 transmit an updated report that describes the ac-  
21 tions taken since the previous report.

22 **SEC. 18. NATIONWIDE INTEGRATED PIPELINE SAFETY REG-**  
23 **ULATORY DATABASE.**

24 (a) IN GENERAL.—Not later than 180 days after the  
25 date of enactment of this Act, the Secretary of Transpor-

1 tation shall submit to the Committee on Appropriations  
2 of the House of Representatives and the Committee on  
3 Appropriations of the Senate a report describing the re-  
4 sources necessary for the Pipeline and Hazardous Mate-  
5 rials Safety Administration to establish the national inte-  
6 grated pipeline safety regulatory inspection database de-  
7 scribed in the report required under section 11(a) of the  
8 PIPES Act of 2016 (49 U.S.C. 60108 note).

9 (b) CONTENTS.—The report required to be submitted  
10 under subsection (a) shall include—

11 (1) a description of the steps necessary for the  
12 Pipeline and Hazardous Materials Safety Adminis-  
13 tration and State pipeline regulators to establish  
14 such database; and

15 (2) a timeline for the completion of such data-  
16 base.

17 **SEC. 19. REGULATORY UPDATES.**

18 (a) OFFICE OF MANAGEMENT AND BUDGET REVIEW  
19 OF REGULATIONS.—Not later than 5 days after the date  
20 on which an outstanding regulation has been under review  
21 by the Office of Management and Budget for more than  
22 90 days, and every 15 days thereafter until the regulation  
23 is published in the Federal Register, the Secretary of  
24 Transportation shall notify the Committee on Transpor-  
25 tation and Infrastructure of the House of Representatives,

1 the Committee on Energy and Commerce of the House  
2 of Representatives, and the Committee on Commerce,  
3 Science, and Transportation of the Senate that the out-  
4 standing regulation remains under review by the Office of  
5 Management and Budget.

6 (b) DEFINITION.—In this section, the term “out-  
7 standing regulation” means a regulation regarding pipe-  
8 line facilities required under this Act or an Act enacted  
9 prior to the date of enactment of this Act for which a final  
10 rule has not been published in the Federal Register.

11 **SEC. 20. CONSTRUCTION PROJECT APPROVALS.**

12 (a) IN GENERAL.—Not later than 1 year after the  
13 date of enactment of this Act, the Secretary shall issue  
14 such regulations as are necessary to require that before  
15 a distribution pipeline construction project begins, the  
16 plans for such project shall be approved by a professional  
17 engineer, a subject matter expert, or other qualified pro-  
18 fessional who possesses the necessary knowledge, experi-  
19 ence, and skills regarding natural gas distribution sys-  
20 tems, as determined by the Secretary.

21 (b) ACCESS TO RECORDS.—In issuing the regulations  
22 under subsection (a), the Secretary shall ensure that the  
23 any individuals approving projects under subsection (a)  
24 are provided access to all relevant records and prior work

1 plans needed to approve the safety of the construction  
2 project.

3 (c) APPLICATION.—Section 60118(c)(1) of title 49,  
4 United States Code, shall not apply to a regulation issued  
5 under subsection (a).

6 **SEC. 21. REPORT ON EMISSIONS.**

7 (a) ESTABLISHMENT.—Not later than 180 days after  
8 the date of enactment of this Act, the Secretary of Trans-  
9 portation shall enter into an agreement with the National  
10 Academy of Sciences to conduct a study on technologies  
11 and measures that reduce the amount of natural gas re-  
12 leased during venting and blowdowns of natural gas dis-  
13 tribution systems and transmission pipelines.

14 (b) CONSULTATION.—In carrying out the study, the  
15 National Academy of Sciences may consult entities with  
16 expertise in the causes and effects of natural gas releases  
17 and the use of technologies or measures that prevent or  
18 mitigate releases of natural gas during venting and  
19 blowdowns of natural gas distribution systems and trans-  
20 mission pipelines.

21 (c) REPORT.—

22 (1) IN GENERAL.—Not later than 18 months  
23 after the date on which the National Academy of  
24 Sciences initiates the study, the National Academy  
25 of Sciences shall submit to the Committee on Trans-

1 portation and Infrastructure of the House of Rep-  
2 resentatives, the Committee on Energy and Com-  
3 merce of the House of Representatives, and the  
4 Committee on Commerce, Science, and Transpor-  
5 tation of the Senate a report on the technologies and  
6 measures described in subsection (a).

7 (2) CONTENTS.—The report required under  
8 paragraph (1) shall include—

9 (A) an analysis of the amount of natural  
10 gas released during venting and blowdowns of  
11 natural gas distribution systems and trans-  
12 mission pipelines;

13 (B) an analysis of the environmental and  
14 health impacts of releases of natural gas during  
15 such venting and blowdowns; and

16 (C) an evaluation of pipeline technologies  
17 or measures capable of safely and effectively re-  
18 ducing the amount of natural gas released, in-  
19 cluding—

20 (i) an analysis of the environmental  
21 and health benefits resulting from lower  
22 natural gas releases as a result of using  
23 such technologies or measures;

24 (ii) an analysis of the economic value  
25 of the natural gas that is prevented from

1 being released as a result of the tech-  
2 nologies or measures;

3 (iii) an analysis of the cost of using  
4 such technologies or measures, including  
5 the cost to operators and any impacts on  
6 pipeline safety and reliability;

7 (iv) an analysis of factors that affect  
8 the feasibility and effectiveness of using  
9 such technologies and measures; and

10 (v) a determination of whether the  
11 benefits described in clauses (i) and (ii)  
12 outweigh the costs described in clause (iii).

13 **SEC. 22. CHANGES IN CLASS LOCATION.**

14 Not later than 18 months after the date of enactment  
15 of this Act, the Secretary of Transportation shall issue  
16 final regulations that permit the use of integrity manage-  
17 ment program requirements, or elements thereof, to man-  
18 age the safety of gas transmission pipeline segments that  
19 experience a change in class location. Such regulations  
20 shall be an alternative to the requirements of section  
21 192.611 of title 49, Code of Federal Regulations, as in  
22 effect on the date of enactment of this Act.

○